

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No.1:23-cv-140

**2019 FORD F-350 PLATINUM VIN:
1FT8W3BT4KED32684.**

Defendant-in-rem.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff, United States of America, brings this complaint in accordance with Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions, and alleges as follows:

NATURE OF THE ACTION

1. This is a civil action to forfeit and condemn to the use and benefit of the United States of America a thing of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of the Controlled Substances Act or, in the alternative, proceeds traceable to an exchange of moneys, negotiable instruments, securities, or other things of value for a controlled substance or listed chemical in violation of the Controlled Substances Act. The Defendant-in-rem is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

DEFENDANT *IN REM*

2. The Defendant *in rem* consists of the following:

2019 FORD F-350 PLATINUM VIN: 1FT8W3BT4KED32684.

(hereafter referred to as “Defendant Property”).

3. The Defendant Property was seized by the Federal Bureau of Investigations (FBI) on September 1, 2022, in the District of New Mexico.

4. The Defendant Property is now, and during the pendency of this action will be, in the jurisdiction of this Court.

JURISDICTION AND VENUE

5. The United States District Court for the District of New Mexico has subject matter jurisdiction under 28 U.S.C. §§ 1345, 1355(a) and 1356.

6. Venue for this civil forfeiture action is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395, as acts or omissions giving rise to the forfeiture took place in this district and the property is found in this district. Upon the filing of this complaint, the Defendant Property will be arrested by execution of a Warrant for Arrest *In Rem* in the District of New Mexico.

FACTS

7. In August 2022, a Confidential Human Source (CHS) reported to law enforcement officials that Jesse Young (hereinafter “Young”) was distributing methamphetamine and fentanyl pills to members of street gangs in Albuquerque, New Mexico, including the “Surenos,” “Burquenos,” and “West Side Locos.” A different CHS reported that Young and his associates were the top suppliers of methamphetamine and fentanyl pills among the Surenos in Albuquerque and that they also supplied Surenos gang members in Oklahoma and Colorado.

8. On September 1, 2022, a Special Agent of the Federal Bureau of Investigation (FBI) Albuquerque, FBI Special Weapons and Tactics (SWAT) teams, and local law enforcement officers executed 15 federal search warrants. One of the locations searched was Young’s residence at 1435 Atrisco Dr. SW Units A and B in Albuquerque, New Mexico. Brandy Gutierrez (hereinafter “Gutierrez”), who identified herself as Young’s girlfriend, was at

the residence during the search. Inside the residence, law enforcement personnel discovered approximately 1 million light blue “M-30” fentanyl pills, several hundred multicolored “M-30” fentanyl pills, 142 pounds of methamphetamine, bulk U.S. currency (estimated at approximately \$2,000,000 during the execution of the search warrant), 28 firearms, 2 hand grenades, thousands of rounds of ammunition, 7 ballistic vests, 1 ballistic ball cap, 6 pounds of marijuana, 50 grams of Psilocybin, 110 grams of Suboxone, 1 black Chevrolet Corvette (located in the backyard of Unit B), 1 black Ford 4x4 truck (i.e., the Defendant Property) (located in the backyard of Unit B), 1 KTM (i.e., Kronreif, & Trukenpolz Mattighofen) motorcycle, and 1 Yamaha 4-wheeler.

9. When interviewed by an FBI Special Agent, Gutierrez stated the 2014 Chevy Corvette belonged to her, and that Young had purchased the vehicle for her about a month before the search warrant execution. Gutierrez stated that Young purchased the vehicle from a relative with cash, that the cash constituted drug proceeds, and that Young did not have a legitimate job.

10. When interviewed by an FBI Special Agent, Young indicated that all vehicles located on the property belonged to him, but that not all of them were registered in his name. Young indicated that most of the vehicles, including the Defendant Property, constituted payments from people who owed him money. Young indicated that had not had a legitimate source of income for the past several years and that his main source of income was drug sales.

11. A query performed in the New Mexico Department of Workforce Solutions Database for employment records associated with Young in New Mexico indicated that he had no recorded employment between 2016 and 2022.

FIRST CLAIM FOR RELIEF

12. The United States incorporates by reference the allegations in paragraphs 1 through 11 as though fully set forth herein.

13. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture “[a]ll moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter.”

14. Defendant Property was furnished or intended to be furnished in exchange for a controlled substance or listed chemical in violation of the Controlled Substances Act.

15. Defendant Property constitutes proceeds traceable to an exchange of a controlled substance or listed chemical for moneys, negotiable instruments, securities, or other things of value in violation of the Controlled Substances Act.

WHEREFORE, Plaintiff seeks arrest of Defendant Property and forfeiture of same to Plaintiff, determination of the validity and priority of claims of the Claimants and any Unknown Claimants to the Defendant Property, costs, and expenses of seizure and of this proceeding, and other proper relief.

Respectfully submitted,
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28 U.S.C. § 1746 DECLARATION

I am a Special Agent with Federal Bureau of Investigations who has read the contents of the Complaint for Forfeiture *In Rem* to which this Declaration is attached; and the statements contained in the complaint are true to the best of my knowledge and belief.

I declare under penalty of perjury and the laws of the United States of America that this Declaration is true and correct, except as to matters stated on information and belief, and as to those matters I believe them to be true.

Dated: 2/15/23



Bryan Acee, Special Agent
Federal Bureau of Investigations